



House of Representatives

General Assembly

File No. 174

February Session, 2002

House Bill No. 5077

House of Representatives, March 26, 2002

The Committee on Environment reported through REP. STRATTON of the 17th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ILLEGAL DUMPING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (c) and (d) of section 22a-250 of the general
2 statutes are repealed and the following is substituted in lieu thereof
3 (*Effective October 1, 2002*):

4 (c) No person shall dump, as defined in subdivision (12) of section
5 22a-248, any material upon any public property in the state or upon
6 private property in this state not owned by [him] such person except
7 when (1) such property is designated by the state or any political
8 subdivision thereof for dumping [and such person is authorized to use
9 such property] or such property is a licensed facility for such purpose,
10 and (2) such person is authorized to use such property. It shall not be a
11 defense under this subsection that the dumping occurred with the
12 permission of the property owner. The commissioner or the
13 municipality in which such dumping occurs may, upon complaint or
14 on their own initiative, investigate any violation of this subsection.

15 (d) No person shall dump, as defined in this subsection, any
16 material upon any public property in the state or upon private
17 property in this state not owned by [him] such person except when (1)
18 such property is designated by the state or any political subdivision
19 thereof for dumping [and such person is authorized to use such
20 property] or such property is a licensed facility for such purpose, and
21 (2) such person is authorized to use such property. The commissioner
22 or the municipality in which such dumping occurs may, upon
23 complaint or on their own initiative, investigate any violation of this
24 subsection. It shall not be a defense under this subsection that the
25 dumping occurred with the permission of the property owner. As used
26 in this subsection "dump" means to discard automobiles or automobile
27 parts, large appliances, tires, bulky waste, hazardous waste, as defined
28 in section 22a-115, or any other similar material.

This act shall take effect as follows:	
Section 1	October 1, 2002

ENV Joint Favorable

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Revenue Gain		-	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact:

Effect	Municipalities	Current FY \$	FY 03 \$	FY 04 \$
	Various Municipalities	-	Potential Minimal	Potential Minimal

Explanation

The bill expands criminal and civil penalties to include anyone convicted of illegal dumping at licensed facilities if they are not authorized to do so. It could result in a minimal revenue gain to the state's General Fund from court fines and fees. It could also result in revenue to the state or municipalities from civil judgments against violators. Any revenue from criminal or civil penalties is expected to be minimal because there are few cases involved and the amount of penalties is typically minimal. There were seven convicted offenders under current law in FY 01, and the average criminal penalty was \$136.

OLR Bill Analysis

HB 5077

AN ACT CONCERNING ILLEGAL DUMPING**SUMMARY:**

This bill requires that people who dump material at facilities licensed for that purpose be authorized to do so. Current law requires such authorization only at state or municipal dump sites. The bill applies to the dumping of more than one cubic foot of litter at one time, furniture, garbage bags and their contents, cars and car parts, large appliances, tires, bulky waste, and hazardous wastes, and other similar material.

EFFECTIVE DATE: October 1, 2002

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 27 Nay 0